

tember, 1846, remained in force, the defendants thereto, Albert and wife, instead of filing their bill in the equity side of Baltimore County Court, had filed it here, claiming a preference over the other creditors of Jones, can it be contended, that this court, in the face of that injunction, and in manifest violation of its spirit, if not of its terms, would have decreed them such preference? It seems to me impossible successfully to maintain such a proposition, and I am at a loss to perceive how their situation can be improved by their resort to a co-ordinate tribunal. Great caution should certainly be observed, lest the powers of these co-ordinate courts should be brought into conflict, as it is apparent the evils of such collision would be of serious magnitude; and I am persuaded, the safer, if not the only course, is, that each court shall never suffer itself to interfere in a cause, or in regard to a subject matter, over which another has exercised its jurisdiction. And such I understand to be the doctrine of the late Chancellor, which was sanctioned by the Court of Appeals, in the case of *Brown vs. Wallace*, 4 *Gill & Johns.*, 479. The Court of Appeals, in that case, say, "'Tis true both courts, in ordinary cases, have authority to grant injunctions; but where a suit has been commenced in one, it ought to be entitled to retain it." Now, did not this suit, in other words, did not the controversy in regard to the settlement of the estate of Samuel Jones, junior, and the right of Albert and wife to a preference over other of his creditors, commence in this court on the 14th of September, 1846, when the bill was filed here on that day? Did not that bill allege the utter insolvency of Jones, and his purpose to give an undue and improper preference to Albert and wife, and others, in contemplation of applying for the benefit of the insolvent laws? Did it not pray for an injunction prohibiting any such preference, and that the property of the insolvent might be preserved until an insolvent trustee should be appointed to take charge of it, to be administered under our insolvent system? These were the averments, and the relief prayed by that bill; and unquestionably, as it seems to me, gave to this court primary jurisdiction over this insolvent estate, and it is difficult to believe, that